

**CITY OF WOBURN
JUNE 19, 2007 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Ciriello	Galvin
Denaro	Gately
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Doherty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

MAYOR'S COMMUNICATIONS:

A communication dated June 13, 2007 with attachment was received from Mayor Thomas L. McLaughlin as follows:

Dear Mr. Campbell:

Attached please find the Order passed by the City Council concerning the Affordable Housing Requirement which amends the City Ordinances by adding a new Section 11.11. Although I am supportive of this measure to promote affordable housing initiatives in the City of Woburn, I am returning this for the Council's reconsideration in accordance with MGL c. 39, Section 4, and Section 25 of the City of Woburn Charter, as it relates to Paragraph 5 of the proposed ordinance.

Paragraph 5 states in part, "...Any moneys in said fund shall be expended only by 1 2/3 vote of the City Council, with the approval of the mayor, to support the creation of..." After consultation with Attorney Silverstein at Kopelman and Paige, I am of the opinion that this language would first require the passage of special legislation by the state Legislature, insofar as it would deviate from the established appropriations process set forth in the City's Charter and state law. Hence, I suggest that this language be amended to read: "Any moneys in said fund shall be expended in accordance with the City Charter, to support the creation of..."

Please do not hesitate to contact me if you have any questions concerning this reconsideration.

Sincerely, s/Thomas L. McLaughlin, Mayor

A communication dated June 6, 2007 with attachment was received from Mayor Thomas L. McLaughlin as follows:

President Doherty and Other Members of the City Council:

I would like your support in the City's acceptance of the provisions of Massachusetts General Laws Chapter 31, Section 60A, regarding reserve police officers. The City's acceptance of this statute allows reserve police officers who are unable to accept permanent, full-time police officer positions to make an irrevocable request to be removed from the certified list of candidates for promotion to permanent, full-time police positions. Those reserve officers who make this request will remain on the reserve list only for continued service as reserve officers. They will continue to utilize the training they have received and serve the City as reserve police officers. The City will be able to utilize the services of these trained reserve police officers as needed, but will also be able to increase the number of new reserve officers who can be trained and ready to assume permanent, full-time police officer positions.

The benefits to the City of accepting the statute include:

- More effective management of the process for promoting reserve officers to permanent, full-time police officer position.
- Having a larger trained group of reserve police officers, some who will continue on the track for promotion to permanent positions and others who will have made the decision to remain as reserve officers only;

We don't anticipate a large number of reserve officers who will choose to be exempted from promotion to permanent positions, but I believe the flexibility offered by this statute will serve the needs of the City of Woburn and its police department. I have discussed this statute with Chief of Police Philip Mahoney who fully supports its acceptance and application.

Thank you for your consideration of acceptance of this statute.

Sincerely, s/Thomas L. McLaughlin, Mayor

Attached thereto was the following:

ORDERED That the City of Woburn hereby accepts the provisions of Massachusetts General Laws Chapter 31, Section 60A Intermittent or reserve police or fire force members; effect of refusals to accept employment on permanent basis in regular police or fire force.

s/Alderman _____

RESOLVED Resolution in Support of the Municipal Partnership Act

Whereas, In order for the residents and the economy of Woburn to prosper and thrive, it is essential that the Commonwealth establish an enduring state-local financial relationship that ensures sufficient and stable revenue sources to appropriately and adequately fund all essential local government services and responsibilities, including public safety, public works, public education and the full range of vital local government activities and obligations; and

Whereas, the sound financial health of cities and towns and the high quality of municipal and school services are necessary for the growth of the knowledge-based Massachusetts economy and the well-being of residents and businesses; and

Whereas, the great majority of cities and towns have not financially recovered from the municipal and school aid cuts imposed in fiscal 2003 and fiscal 2004 that resulted in widespread reductions and cutbacks in local services and the municipal workforce; and

Whereas, reliance on the regressive property tax has increased to historic levels, and has placed a heavy property tax burden on low- and moderate-income homeowners, especially seniors and those on fixed incomes, and the communities of the Commonwealth should not be forced to further their reliance on the property tax, which is the only major source of tax revenue granted to local government; and

Whereas, the City of Woburn, and cities and towns across the Commonwealth are facing increased reliance on property taxes this year; and

Whereas municipal revenues and current levels of local aid are inadequate to maintain services and fund the high growth in unavoidable local costs, including health insurance for public employees and retirees, special education for disabled students, and rising fuel and energy expenses; and

Whereas, cities and towns in Massachusetts have far less autonomy under state law to manage local revenues and costs than other states;

Therefore Be It Resolved, that the City of Woburn hereby endorses the Municipal Partnership Act, and calls on the Massachusetts Legislature to enact the full scope of the bill this year, as this municipal partnership legislation would give cities and towns practical and meaningful tools to close local budget shortfalls and enhance stability in municipal and school services; and

Be It Further Resolved, that meaningful partnership legislation must include both substantial revenue self-reliance measures referenced in the next provision, as well as strong administrative cost-cutting opportunities in the areas of health insurance and pension funding as proposed by the Governor in the Municipal Partnership Act filed in February; and

Be It Further Resolved, that the Municipal Partnership Act passed by the Legislature must include the following revenue provisions: a local option sales tax on meals of up to 2 percent, a local option expansion of the room occupancy excise of an additional 1 percent, and closing the telecommunications property tax loophole in state law to eliminate the special ability of telecommunications companies to avoid appropriate local taxation and shift this burden onto other taxpayers and communities; and

Be it Further Resolved, that a copy of this Resolution be forwarded to the Honorable Members of the Senate and House of Representatives for the City of Woburn and be placed in the public record.

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Board of Health to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Board of Health may spend funds received without further appropriation during Fiscal Year 2008 for the purpose of purchasing additional compost bins. The “Board of Health Revolving Fund”, is to be credited with all fees and charges not to exceed \$2,500.00 received during Fiscal Year 2008 from persons purchasing compost bins. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The “Board of Health Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Board of Health to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Board of Health may spend funds received without further appropriation during Fiscal Year 2008 for the purpose landfill closure. The “Board of Health Revolving Fund”, is to be credited with all fees and charges up to \$400,000.00 received during Fiscal Year 2008. Any

remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The "Board of Health Revolving Fund", under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Office of the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Office of the Mayor may spend funds received for cable television and telecommunications franchise fees as required under the CATV operator license agreement with the City of Woburn without further appropriation during Fiscal Year 2008 for the purpose of cable related expenditures. The "Cable Television and Telecommunications Revolving Fund", is to be credited with all fees and charges up to \$500,000.00 received during Fiscal Year 2008. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The "Cable Television and Telecommunications Revolving Fund", under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Conservation Commission to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Conservation Commission may spend funds received without further appropriation during Fiscal Year 2008 for the purpose of environmental public benefit and open space acquisitions and/or protection. The "Conservation Commission's Revolving Fund", is to be credited with all fees and charges not to exceed \$10,000.00 received during Fiscal Year 2008 from gifts, donations and monies raised. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The "Conservation Commission's Revolving Fund", under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor,

must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Council on Aging to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Council on Aging may spend funds received without further appropriation during Fiscal Year 2008 for the purpose of operating the Senior Center. The “Council on Aging Revolving Fund”, is to be credited with all fees and charges received during Fiscal Year 2008 up to \$70,000.00. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The “Council on Aging Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Recreation Department to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Recreation Department may spend funds received without further appropriation during Fiscal Year 2008 for the purpose of purchasing playground equipment and related items for Leland Park only. The “Kids’ Kingdom Revolving Fund”, is to be credited with all fees and charges not to exceed \$2,500.00 received during Fiscal Year 2008 from donations and monies raised. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The “Kids’ Kingdom Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Parks Department to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Parks Department may spend funds received without further appropriation during Fiscal Year 2008 for the purpose of construction and a maintenance of a street hockey rink at Leland Park. The “Leland Park Street Hockey Revolving Fund”, is to be credited with all fees and charges not to exceed \$2,500.00 received during Fiscal Year 2008 from gifts, donations and monies raised. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The “Leland Park Street Hockey Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Woburn Police Department DARE to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Woburn Police Department DARE may spend funds received without further appropriation during Fiscal Year 2008. The “Police Department DARE Revolving Fund”, is to be credited with all fees and charges not to exceed \$25,000.00 received during Fiscal Year 2008 from donations and money raised. Any remaining balance at June 30, 2008 is to revert to the General Fund, unless the fund is re-established. The “Police Department DARE Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED That the sum of \$269,999.00 be and is hereby transferred as so stated from I&I Reserve Sewer Enterprise Fund Acct #641-359600 \$269,999.00 to Rehab Well I Acct #64258-584045 \$59,999.00, Blueberry Hill Pump Station Acct #64258-584093 \$45,000.00, Preventative Main – Water Acct

#64258-584018 \$50,000.00, Valves & Hydrants Acct #64258-584094 \$15,000.00, Pump Station Eval/Training Acct 64158-584087 \$20,000.00, Preventative Main/Sewer Acct #64158-584048 \$25,000.00, Distrib. & Pump Station Repair Acct #64158-584096 \$55,000.00, Total \$269,999.00

I hereby approve the above. s/Thomas L. McLaughlin, Mayor
I have reviewed the above. s/Gerald W. Surette, City Auditor

s/Alderman _____

ORDERED That the sum of \$400,000.00 be and is hereby appropriated as so stated from Demolition of Reeves School Acct #0112158-586572 \$400,000.00 to Woburn Memorial High School Acct #616058-588095 \$400,000.00 upon completion of this project, any surplus shall revert back to the Stabilization Fund.

I hereby approve the above. s/Thomas L. McLaughlin, Mayor
I have reviewed the above. s/Gerald W. Surette, City Auditor

s/Alderman _____

PUBLIC HEARINGS:

On the petition Sam Gandor, 290 Turnpike Road, Suite 354, Westborough, Massachusetts 01581 for a special permit pursuant to Section 7.1.3 of the 1985 Woburn Zoning Ordinances, as amended, for reconstruction or structural change to a pre-existing and non-conforming four family frame residential dwelling to allow the construction of a deck or porch structure at the rear elevation of principal dwelling at 11-13 Porter Street. PUBLIC HEARING OPENED. A communication dated June 11, 2007 was received from Brett F. Gonsalves, Senior Engineer, Woburn Engineering Department as follows:

Subject: 11-13 Porter Street – Construction of Deck and Porch Special Permit – Special Permit Application Dated 4/27/2007 – Plot Plan Dated October 30, 2006

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The submitted plan shows the existing dwelling with the setbacks to the property lines. The special permit indicates the construction of a deck and porch to the rear of the existing structure and upon review of the supporting documentation, this office takes no exception to the special permit application as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated June 14, 2007 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Sam Gandor – 11-13 Porter St. – To construct deck and porch under Section 7.1.3

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on June 12, 2007, the Board voted to forward a favorable recommendation to the City Council on the Special Permit request to allow for the construction of a deck and porch under Section 7.1.3 of the Woburn Zoning Ordinance at 11-13 Porter Street subject to the following conditions:

1. That the deck and porch shall be as shown on the Site Plan dated October 30, 2006 prepared by Edward J. Farrell.
2. That the structure shall be a three family house.
3. That the structure shall not be used as a rooming house.
4. That no residential or business use of the barn shall be allowed.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

A communication dated June 14, 2007 was received from Attorney Malcolm H. Houck, 7 Winn Street, Woburn, Massachusetts 01801 as follows:

In re: 11-13 Porter Street – Sam Gandor, Owner

Dear Mr. Campbell:

Further to our discussion of the 13th at your office, please be advised that I must now request a continuance of the public hearing referenced above. I am aware of the favorable recommendation of the Planning Board rendered upon their deliberations at Planning Board meeting on June 12, 2007, and a reasonable anticipation was that this should proceed rapidly at public hearing before the City Council.

A portion of the Planning Board recommendation is a specific condition limiting residential usage of these premises to three – family occupancy. This condition conflicts with the historic non-conforming usage of the residential dwelling house structure, and now raises an issue that must be addressed. Contrary to the prediction for a speedy, brief and economical disposition of this matter, a direct confrontation to the proposed limiting condition of the Planning Board recommendation will require some presentation of facts and history supporting the four-family use of the premises; -- all as specified in the

original petition. Implicitly, this will not only consume more time than estimated, but also requires additional preparation.

As you are aware, I am encumbered by a conflict with another public hearing that evening, and further my client must assemble that data for a suitable presentation upon the facts.

Accordingly, and as we have discussed, I must ask for a continuance of the Public Hearing scheduled on this Petition for Tuesday June 19, 2007, until a later date, as your schedule of hearings permits.

If you have any questions, please feel free to contact me.

Very truly yours, s/Malcolm H. Houck

On the petition NSTAR Electric Company and Verizon New England Inc. for a grant of right in a way to install one joint occupancy pole and anchor guy (138/132) and to remove one joint occupancy pole on Main Street southerly side at Elm Street. PUBLIC HEARING OPENED. A communication was received from Superintendent of Public Works Frederick Russell as follows: "Approved".

On the petition Anthony J. Cierri, 1 North Maple Street, Woburn, Massachusetts 01801 to amend the Zoning Map of the City of Woburn by changing the zoning district for a parcel of land located at 1 North Maple Street with Assessors Map Reference Map 09, Block 05, Lot 01 containing approximately 1.31 acres of land at 1 North Maple Street as shown on the plan filed in the Office of the City Clerk with the petition from the O-P zoning district to the I-P zoning district. PUBLIC HEARING OPENED. A communication dated June 14, 2007 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Anthony J. Cierri, to amend the Zoning Map by changing the zoning district at 1 North Maple Street from O-P to I-P

Dear Mr. Campbell and Members of the City Council:

At the June 12, 2007 public hearing, the Planning Board voted unanimously to forward a favorable recommendation to the City Council to approve the zoning map change as proposed for the lot at 1 North Maple Street from O-P to I-P because this rezoning is the most appropriate zoning designation for this property.

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition Pacer Electronics, Inc. to further amend the 1985 Woburn Zoning Ordinances, as amended, as follows: That a new Accessory Use be added to Section 5.1 as follows: "Section 5.1.67 Accessory Kennel used in conjunction with a retail establishment greater than 15,000 square feet". In addition, an "x" shall be inserted in the BI column and a "-" in all other columns. PUBLIC HEARING OPENED. A communication dated June 14, 2007 was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Petition of National Development Acquisitions LLC, 112 Commerce Way, Woburn, Massachusetts

Dear Mr. Campbell:

Due to the fact that the Planning Board public hearing on this matter has been continued to June 26, 2007, I respectfully request that the public hearing on this matter be further continued to the City Council meeting scheduled for July 17, 2007. If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

On the petition Michael R. Tyminski, 14 Otis Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.5 of the 1989 Woburn Zoning Ordinances, as amended, to allow earth removal or filling at 14 Otis Street. PUBLIC HEARING OPENED. A communication dated June 12, 2007 was received from Attorney Mark J. Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 as follows:

Re: 14 Otis Street

Dear Mr. Campbell and Aldermen:

Request is made to withdraw the special permit without prejudice in regard to 14 Otis Street. It is my client's hope to redesign the plan to incorporate the suggestions of the Planning Board director and the Woburn Engineering Dept and to re-file the petition at a later date.

Thank you for your cooperation and please call with any questions.

Very truly yours, s/Mark J. Salvati

On the petition 400 MetroNorth Corporate Center LLC to further amend the 1985 Woburn Zoning Ordinances, as amended, as follows: That line 5.1.65b Accessory muscular therapy facility be amended by deleting the "-" in the IP2 column and replacing

with “x”. This amendment would allow muscular therapy as an accessory use with physical fitness training and recreation facilities as set forth on lines Section 5.1.16, 5.1.16a, 5.1.17a and 5.1.17b. PUBLIC HEARING OPENED. A communication dated June 14, 2007 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: 400 MetroNorth Corporate Center LLC – to amend Woburn Zoning Ordinance line 5.1.65b Accessory muscular therapy facility by deleting under “-“ IP2 and replacing with “x”

Dear Mr. Campbell and Members of the City Council:

At the June 12, 2007 public hearing, the Planning Board voted unanimously to forward a favorable recommendation to the City Council with the following modification to the proposed Ordinance amendment: that line 5.1.65b Accessory muscular therapy facility be amended by deleting the “-“ and replacing it with “P” not an “x”.

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

PERSONNEL:

On the re-appointment of Joseph Leary as a Member of the Board of Appeals, committee report was received “ought to pass.”

FINANCE:

On the Order to appropriate the sum of \$22,000.00 from Cemetery Interest Fund to various Cemetery Accounts, committee report was received “ought to pass.”

On the Order to transfer the sum of \$134,000.00 from DPW Sewer Outlays and DOW Sewer MWRA User Charges to DPW Sewer/Electric and DPW Water/Electric, committee report was received “ought to pass.”

On the Order to transfer the sum of \$222,500.00 from Free Cash to various DPW Accounts, committee report was received “ought to pass.”

On the Order to transfer the sum of \$15,000.00 from Free Cash to Baldwin Green Restoration Project, committee report was received “ought to pass.”

On the Order to transfer the sum of \$12,065.00 from Treasurer Postage Mailing Fees to Treasurer Tax Title Foreclosure, committee report was received “ought to pass.”

On the Order to transfer the sum of \$14,000.00 from Fire/Regular Salary to Fire/Holiday Pay and Fire/Overtime, committee report was received “ought to pass.”

On the Order to transfer the sum of \$25,000.00 from BLS Receipts to Ambulance Maintenance, committee report was received “ought to pass.”

On the Order to transfer the sum of \$60,000.00 from Free Cast to Police Overtime and Police Gasoline, committee report was received “ought to pass.”

CHARTER AND RULES:

On the communication by the License Commission requesting that the City Council petition the General Court to adopt a Home Rule Petition that would permit the city to issue ten (10) additional so-called Section 12 Pouring Licenses, committee report was received “that the city clerk draft the correct language for the City Council in order to get the Home Rule petition going.”

NEW PETITIONS:

A communication dated June 18, 2007 with attachment was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Minor Modification to Special Permit Granted to Avalon Bay Communities, Inc. for Lot 2, Inwood Drive, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Avalon Bay Communities, Inc. As you know, on April 7, 2005 the City Council granted a Special Permit to Howland Development Inc/Avalon

Bay Communities, Inc. for the development of 446 apartment units on Lot 2, Inwood Drive which special permit was further amended by the City Council on April 13, 2006, November 9, 2006 and March 19, 2007. Enclosed please find ten (10) copies of a plan showing proposed minor improvements.

Avalon would like to add a picnic/play area on the east side of Inwood Drive as well as an additional 300 feet of sidewalk as shown on the enclosed plan. I respectfully request approval by the City Council of the above improvements as a minor modification to the Special Permit. If you have any questions please feel free to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

Petition by Koffler/GID Woburn LLC, One Providence Washington Plaza, Ninth Floor, Providence, Rhode Island 02903 for a special permit to modify a special permit dated October 9, 2003 further amended by special permit dated August 21, 2006 said modification being pursuant to Section 8.2.5 of the 1985 Woburn Zoning Ordinances, as amended to allow for 1,283 parking spaces at 300 Mishawum Road.

Petition by Rohm and Haas, 185 New Boston Street, Woburn, Massachusetts 01801 pursuant M.G.L. Ch. 148, Section 13 and Section 8-8 of the 1989 Woburn Municipal Code, as amended, to amend an Inflammable License to allow for the aboveground storage of 35,000 cu. ft. of hydrogen gas at 185 New Boston Street.

Petition by Manuel Jose and Maria Celeste Jose, 7 Dewey Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended to allow the alteration of a pre-existing nonconforming three-family residence to allow for a re-configuration of units basement and parking at 40-42 Porter Street.

Petition by Boys & Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit to continue the six day carnival of May 15 to May 20, 2007 to September 12 to September 16, 2007 at 25 Middlesex Canal Park Drive.

COMMUNICATIONS AND REPORTS:

A communication dated June 15, 2007 was received from Charles L. O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

In accordance with Massachusetts General Laws Chapter 90, Section 20A½, I am submitting a report to you on the parking violations in the City of Woburn for the period ending May 2007: number of tickets issued 934, number of tickets paid 865, number of

hearings scheduled 494, number of tickets voided or dismissed 68, number of tickets outstanding 242, number of tickets issued by motorcycle officers 0, total dollar amount collected and turned into the Treasurer's Office \$32,876.00. There exists a backlog of 4,924 tickets for 1982 through 2006. Demands will be sent out until all tickets have been cleared. Parking violations turned over to Handicap Commission to date \$5,310.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn
favor, 9-0.

A communication dated June 5, 2007 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the May meeting of the Council on Aging and the Director's report for the month of May.

A communication dated June 12, 2007 with attachments was received from Brad Kent, Agent to Nextel Communications as follows:

Re: Application for Special Permit – Nextel Communications of the Mid-Atlantic, Inc.
proposed antenna reconfiguration at 21 Warren Ave, Woburn, MA 01801

Dear Council President Doherty:

This letter is to request that the Special Permit granted to Nextel Communications, and Cummings Foundation New Horizons, Inc, to replace the existing nine (9) antennas on existing pipe frame with twelve (12) antennas on a proposed anchored roof frame pursuant to Section 7.3 of the Woburn Zoning Ordinances at 21 Warren Avenue be amended by removing condition number one (1).

The application for the above referenced special permit was heard by the City Council on February 6, 2007 at which time the application was voted on and approved by the City Council and a Special Permit was granted to Nextel Communications with the following conditions:

1. That the Special Permit conforms with Section 5.6 of the zoning ordinances.
2. That the petitioner shall post a bond for future removal; and
3. That the petitioner shall contribute up to \$5,000 for the cost of a survey for the siting of wireless communication facilities within Woburn.

Nextel Communications diligently complied with the conditions by posting the removal bond, contributing \$5,000 to the City of Woburn for the wireless communication survey, and preparing a report explaining why the installation conforms to Section 5.6 of the zoning ordinances, which was approved by the Planning Board.

Two issues arose when Nextel applied for a building permit. According to section 5.6 of the Woburn Zoning Ordinance, the antennas must 15 feet from the sides of all buildings

and must be screened from abutters. The Building Commissioner denied the building permit application because the site does not conform to section 5.6.

This is a non-conforming use because the existing installation does not comply with these two parameters that are set within section 5.6 of the zoning ordinance. The proposed installation cannot comply with these two issues because there is not enough room to allow 15 feet from the sides of all buildings and wind loading would be too great to allow the antennas to be screened on the roof top. Because this is nonconforming use and Nextel cannot comply with Section 5.6 for the proposed installation, Nextel applied under section 7.3 of the zoning ordinance "Extension or Alteration of Non-conforming Uses".

The owner of the property strongly supports the proposed installation due to the fact it drastically improves the aesthetics of the building. Please consider that the plans have not been changed from what was originally approved by both the Planning board and City Council.

Please present this request to the City Council for a vote to amend the Special Permit by removing condition number one (1), at its public hearing on Tuesday, June 19, 2007.

Thank you for your attention to this matter.

Very truly yours, s/Brad Kent, Agent to Nextel Communications

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated June 12, 2007 was received from Mayor Thomas L. McLaughlin as follows:

Re: Peter Lennon – Sign Review Board

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Peter Lennon of 629 Main Street, as a member of the Sign Review Board for a period of one year from the date of his appointment.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

A communication dated June 15, 2007 was received from Mayor Thomas L. McLaughlin as follows:

Re: Daniel J. Gately – Woburn Housing Authority

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Daniel J. Gately of 16 Arcadia Street, as a member of the Woburn Housing Authority for a period of five (5) years from the date of his appointment.

Daniel J. Gately will be replacing Thomas C. Quinn.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

A communication dated June 13, 2007 was received from Mayor Thomas L. McLaughlin as follows:

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Jose Santiago of the Woburn Council on Social Concerns, as a Member of the Human Rights Commission as required in the City of Woburn Municipal Code Title 2-236. Please be advised that the effective date of this appointment will be August 1, 2007, and the term will expire on July 31, 2010.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

A communication dated June 13, 2007 was received from Mayor Thomas L. McLaughlin as follows:

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Jan Robbins Cox, Director of Human Resources, as a Member of the Human Rights Commission as required in the City of Woburn Municipal Code Title 2-236. Please be advised that the effective date of this appointment will be August 1, 2007, and the term will expire on July 31, 2010.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

A communication dated June 13, 2007 was received from Mayor Thomas L. McLaughlin as follows:

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Ralph Coakley, Community Policing Officer of the Woburn Police Department, as a Member of the Human Rights Commission as required in the City of Woburn Municipal Code Title 2-236. Please be advised that the effective date of this appointment will be August 1, 2007, and the term will expire on July 31, 2010.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

A communication dated June 13, 2007 was received from Mayor Thomas L. McLaughlin as follows:

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Dr. Carl Batchelder, Superintendent of Woburn Public Schools, as a Member of the Human Rights Commission as required in the City of Woburn Municipal Code Title 2-236. Please be advised that the effective date of this appointment will be August 1, 2007, and the term will expire on July 31, 2010.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED That the Traffic Commission order the installation of no parking signs along Washington Street in front of Leland Park.

s/Alderman Mercer-Bruen

RESOLVED That the Traffic Commission establish a resident traffic only restriction at the entrance to Stevin Drive from Russell Street as Stevin Drive is being used as a cut through and causing problems on Revere Road.

s/Alderman Drapeau

Motion made and 2nd to ADJOURN